IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA MACON DIVISION

UNITED STATES OF AMERICA,)	
and THE STATE OF GEORGIA)	
ex rel. RANKEDRA COLLIER-)	
ROBERTS,)	FILED UNDER SEAL PURSUANT
)	TO 31 U.S.C. § 3730
Relator,)	
)	CIVIL ACTION NO. 5:15-CV-004 (MTT)
v.)	
)	
NEW BEGINNINGS CARE, LLC,)	
GOODWILL NURSING HOME, INC.,)	
and MACON MANOR NRC, LLC,)	
)	
Defendants.)	

UNITED STATES' AND STATE OF GEORGIA'S NOTICE OF CONSENT TO VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1) and the Georgia False Medicaid Claims Act, O.C.G.A. § 49-4-168.2(b), the United States and the State of Georgia, by its undersigned attorneys, hereby respectfully notifies the Court that the United States and the State of Georgia consent to the voluntary dismissal of this action without prejudice to the United States or the State of Georgia. The reason for the consent to this dismissal is that having investigated the claims, the United States and the State of Georgia declined intervention in the above-styled case and that the consent to this dismissal by the United States and the State of Georgia will not prejudice in any way its ability to investigate and review this matter in the future, should the same be warranted.¹

1

¹ 31 U.S.C. § 3730(b)(1) requires the United States give written consent to the dismissal and its reasons for consenting. O.C.G.A. § 49-4-168.2(b) provides that "[t]he civil action may be dismissed only if the Attorney General [of Georgia] gives written consent to the dismissal stating the reasons for consenting to such dismissal and the court enters an order approving the dismissal."

This 22^{nd} day of June, 2015.

MICHAEL J. MOORE UNITED STATES ATTORNEY MIDDLE DISTRICT OF GEORGIA

By: /s/ Todd P. Swanson

Todd P. Swanson Assistant United States Attorney Georgia Bar No. 496989

United States Attorney's Office P.O. Box 1702 Macon, Georgia 31202 478-621-2728 todd.swanson@usdoj.gov

Counsel for the United States of America

SAMUEL S. OLENS ATTORNEY GENERAL

By: /s/Elizabeth S. White_

Elizabeth S. White Assistant Attorney General Georgia Bar No. 258844 200 Piedmont Ave, S.E. West Tower, 19th Floor Atlanta, Georgia 30334 404-656-4145 ewhite@law.ga.gov

Counsel for the State of Georgia

CERTIFICATE OF SERVICE

I, Todd P. Swanson, hereby certify that on this date, I electronically filed the within and foregoing United States' and State of Georgia's Notice of Consent to Voluntary Dismissal Without Prejudice and the accompanying proposed order, with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the following attorneys on record:

Jason Marcus, Esq. Bracker & Marcus, LLC 3225 Shallowford Rd. Suite 1120 Marietta, GA 30062

Cory S. Fein Cory Fein Law Firm 712 Main Street, Suite 800 Houston, TX 77002

Attorneys for Relator

This 22nd day of June, 2015.

BY: <u>s/Todd P. Swanson</u> TODD P. SWANSON ASSISTANT UNITED STATES ATTORNEY

> United States Attorney's Office P.O. Box 1702 Macon, Georgia 31202 478-621-2728 todd.swanson@usdoj.gov

Counsel for the United States of America